



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4419

Introduced 1/6/2006, by Rep. John D'Amico

SYNOPSIS AS INTRODUCED:

220 ILCS 5/4-101

from Ch. 111 2/3, par. 4-101

Amends the Public Utilities Act. Provides that the Illinois Commerce Commission shall require all public utilities (now, all electric public utilities) to establish a security policy that includes on-site safeguards to restrict access to critical infrastructure and computerized control and data systems. Makes corresponding changes. Effective immediately.

LRB094 17136 MKM 52424 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Utilities Act is amended by changing
5 Section 4-101 as follows:

6 (220 ILCS 5/4-101) (from Ch. 111 2/3, par. 4-101)

7 Sec. 4-101. The Commerce Commission shall have general
8 supervision of all public utilities, except as otherwise
9 provided in this Act, shall inquire into the management of the
10 business thereof and shall keep itself informed as to the
11 manner and method in which the business is conducted. It shall
12 examine those public utilities and keep informed as to their
13 general condition, their franchises, capitalization, rates and
14 other charges, and the manner in which their plants, equipment
15 and other property owned, leased, controlled or operated are
16 managed, conducted and operated, not only with respect to the
17 adequacy, security and accommodation afforded by their service
18 but also with respect to their compliance with this Act and any
19 other law, with the orders of the Commission and with the
20 charter and franchise requirements.

21 Whenever the Commission is authorized or required by law to
22 consider some aspect of criminal history record information for
23 the purpose of carrying out its statutory powers and
24 responsibilities, then, upon request and payment of fees in
25 conformance with the requirements of Section 2605-400 of the
26 Department of State Police Law (20 ILCS 2605/2605-400), the
27 Department of State Police is authorized to furnish, pursuant
28 to positive identification, such information contained in
29 State files as is necessary to fulfill the request.

30 The Commission shall require all ~~electric~~ public utilities
31 to establish a security policy that includes on-site safeguards
32 to restrict physical or electronic access to critical

1 infrastructure and computerized control and data systems by
2 personnel employed by or under contract with the ~~electric~~
3 public utility company or by personnel of any entity regulated
4 by the Commission that supplies power to wholesale or
5 residential markets. The Commission shall maintain a record of
6 and each regulated entity that supplies power to wholesale or
7 residential markets shall provide to the Commission an annual
8 affidavit signed by a representative of the regulated entity
9 that states that the entity follows, at a minimum, the most
10 current security standards set forth by the North American
11 Electric Reliability Council.

12 (Source: P.A. 94-480, eff. 1-1-06.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.